

REMARKS

Claims 1-43 are pending in the present application. By the present amendment, claims 41-43 have been added; claims 8-14, 21-27 and 34-40 have been amended; claims 11, 24 and 37 have been cancelled; and claims 1-7, 15-20 and 28-33 have been withdrawn.

The examiner has rejected claims 8-12, 21-25 and 34-38 under 35 U.S.C. § 103(a) as being unpatentable over WO 99/59924 (hereinafter, "'924"). '924 discloses a balanced water purification composition which generally comprises a buffer compound, an oxidizer/clarifier compound, and a biocide compound, intended to purify and clarify water while maintaining the existing water pH (abstract). The invention is described as "compositions and a method for making the compositions to purify water while maintaining the desired water balance upon the addition of the composition to water ... [and] a system for packaging and storing the composition." (Page 3, Lines 10-15). The composition generally disclosed is in powder or dry form, and preferably packaged in multiple packages. (See pages 6-7, 14-16). The application also generally discloses a concentration of the components in water as a very dilute water composition, wherein "the oxidizer/clarifier compound is present in the composition in an amount such that when the composition is added to water, the concentration of the oxidizer/clarifier compound in the water is from about 2 up to about 9 parts per million" (Page 5, Lines 1-7, see similar statement on Page 12, Lines 5-12); the examples are consistent with this low concentration in water.

Although all detailed embodiments of packaging of the composition comprises one or more packets of dry components, the applicant states that the packaging includes "bulk powders, aqueous solutions, tablets, or packets." (Page 14, Lines 39-40). Furthermore, it is important to remember the earlier disclosure in the application that the oxidizer/clarifier is present in an amount sufficient to oxidize the biocide compound completely and to oxidize organic contaminants in the water to be purified. (Page 4, Lines 37-41; Page 6, Line 41 - Page 7, Line 3.) One skilled in the art may experiment to develop an "aqueous solution" of certain components of the composition of the present invention; however, the remainder of the application teaches away from developing a packaged aqueous solution for the entirety of the composition, particularly in that the application teaches the oxidation of the biocide by the oxidizer/clarifier compound, which would occur in an aqueous solution and render the solution ineffective after an extended period of time prior to its use. Thus, to the extent a person skilled in the art could glean any guidance in the prior art reference for an aqueous solution, the other teachings of the reference would guide the person so skilled to separate the components into multiple aqueous solutions rather a single solution. Finally, the only reference to composition-to-water ratios is cited above for the oxidizer/clarifier compound, and therefore there is a clear lack of recognition in this reference as well as the prior art as regards any concentrated formulation comprising an oxidant, a halide and a buffer.

The applicant has amended the claims to reference specific concentration ranges and the element of water within the pending independent claims of the present application. In view of the claim amendments and comments, the applicant believes that each and every issue raised by the examiner under this rejection has been addressed and overcome.

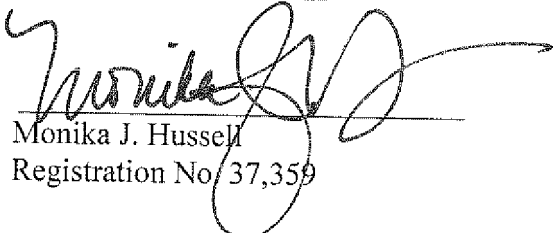
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Applicant respectfully submits that the present application is in condition for allowance. The examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

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